

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL BARTLEY,	§
	§ No. 575, 2009
Defendant Below,	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID 0005016436
	§
Plaintiff Below,	§
Appellee.	§

Submitted: September 20, 2010

Decided: September 23, 2010

ORDER

This 23rd day of September 2010, it appears to the Court that, on August 31, 2010, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for appellant's failure to diligently prosecute his appeal by not filing his supplemental opening memorandum in this matter. The appellant has failed to respond to the notice to show cause within the required ten-day period; therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/Henry duPont Ridgely
Justice